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8
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,)
)
12 Plaintiff,)
)
13 v.) 2:11-CR-453-PMP-(CWH)
)
14 DAVID M. MARK ,)
)
15 Defendant.)

16 **UNITED STATES OF AMERICA’S MOTION TO EXTEND TIME TO RESPOND TO**
17 **DEFENDANT DAVID MARK’S OBJECTION TO POST VERDICT ORDER OF FORFEITURE**
18 **AND REQUEST FOR HEARING (ECF NO. 153)**
(Second Request)

19 The United States of America (“United States”), by and through Daniel G. Bogden, United States
20 Attorney for the District of Nevada, and Daniel D. Hollingsworth, Assistant United States Attorney
21 (“AUSA”), respectfully moves this Honorable Court for an Order extending the time for the United
22 States to file a Response to Defendant David Mark’s Objection To Post Verdict Order Of Forfeiture and
23 Request for Hearing (ECF No. 153) pursuant to Fed. R. Crim. P. 45(b)(1) and LCR 45-1. The Response
24 is currently due May 24, 2013. Order, ECF No. 154. The United States requests an extension of time to
25 and including June 7, 2013. This is the second request for an extension of time. The grounds for
26 extending the time are as follows.

Undersigned counsel has been filing required responses in both criminal and civil cases, has filed civil complaints, has not been able to meet all of the deadlines, and has had to request extensions of time on some of the numerous deadlines. Undersigned counsel cannot still meet all of the deadlines in these cases and needs an extension of time. Undersigned counsel also has a family matter to attend to on May 24, 2013.

This past week undersigned counsel has called opposing counsel, Michael S. Fawer, and left phone message, has also called at different times of the day, and has never spoken with a live person. The voice message states a message can be left. These calls were to see whether Mr. Fawer would not oppose this extension of time and authorize the extension. The undersigned has not received a message from Mr. Fawer or his office.

This motion is not submitted solely for the purpose of delay or for any other improper purpose.

This Court should grant an extension of time to and including June 7, 2013, pursuant to Fed. R. Crim. P. 45(b)(1) and LCR 45-1, for the United States to file a Response to Defendant David Mark's Objection To Post Verdict Order Of Forfeiture and Request for Hearing (ECF No. 153).

DATED this 22nd day of May, 2013.

DANIEL G. BOGDEN
United States Attorney

/s/Daniel D. Hollingsworth
DANIEL D. HOLLINGSWORTH
Assistant United States Attorney

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: May 23, 2013